

**BROWN & CONNERY, LLP**

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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

DAVID AND SALLY SONSINO

Plaintiffs,

vs.

ROY WHITMORE

Defendant.

CIVIL ACTION NO. 06-cv-5385

**CERTIFICATION IN SUPPORT  
OF REQUEST FOR ENTRY  
OF DEFAULT**

Stephanie Nolan Deviney, of full age, hereby certifies and says:

1. I am an attorney for the law firm of Brown & Connery, LLP, attorneys for the Plaintiffs in this matter. I have personal knowledge of the facts set forth below and I am authorized to make this certification.

2. On November 10, 2006, Plaintiffs filed a Complaint in the United States District Court for the District of New Jersey against defendant, Roy Whitmore (the "Defendant").

3. The Complaint and Summons were personally served on Defendant on November 15, 2006.

4. On December 5, 2006, Plaintiffs filed an Amended Complaint.

5. The Amended Complaint contained no new or additional demands for relief.

6. Accordingly, pursuant to Rule 5(b)(2)(B) of the Federal Rules of Civil Procedure , Plaintiffs served Defendant with the Amended Complaint via regular mail on December 5, 2006, at the address where Defendant was personally served.

7. More than ten (10) days have passed since the date on which the Defendant was served with the Amended Complaint.

8. The Defendant has failed to answer or otherwise defend as to Plaintiffs' Amended Complaint, or to serve a copy of any answer or other defense which it might have had upon me.

9. This certification is made in accordance with Rule 55(a) of the Federal Rules of Civil Procedure, for the purpose of enabling Plaintiffs to obtain an entry of default against the Defendant for his failure to answer or otherwise defend as to Plaintiffs' Amended Complaint.

10. Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct.

Dated: December 18, 2006

/s/ Stephanie Nolan Deviney  
Stephanie Nolan Deviney